# FEDERAL REGISTER

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## TITLE 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

PART 364—REGULATIONS

FARM OWNERSHIP LOAN LIMITS

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and loan limits for the counties identified below are determined to be as herein set forth; and § 364.11, as amended, entitled "Average values of farms and loan limits," in Title 6 of the Code of Federal Regulations (6 CFR, 1946 Supp., and 1947 Supp., 364.11) is amended by adding said counties, average values, and loan limits to the tabulations appearing in said section under the State of Florida.

FLORIDA

| County | Average value | Loan limit |
|---|---|---|
| Broward | $10,000 | $10,000 |
| Flagler | 8,000 | 8,000 |
| Indian River | 9,000 | 9,000 |
| Saint Lucie | 9,000 | 9,000 |
| Sarasota | 8,500 | 8,500 |

(Secs. 3 (a) 41 (i) 60 Stat. 1074, 1066; 7 U. S. C. 1003 (a) 1015 (i))

Issued this 15th day of June 1948.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 48-5461; Filed, June 17, 1948; 8:49 a. m.]

## TITLE 7—AGRICULTURE

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 981—IRISH POTATOES GROWN IN SOUTHEASTERN STATES

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948 FISCAL PERIOD

The Southeastern Potato Committee, established under the marketing agreement and Order No. 81 (13 F. R. 2709) regulating the handling of Irish potatoes grown in the Southeastern States production area, is the agency authorized to administer the terms thereof, among which the provisions of § 931.4 authorize said committee to incur such expenses and collect such assessments as the Secretary finds may be necessary. The Southeastern Potato Committee has presented a proposed budget of expenses and proposed rate of assessment for the current fiscal period ending October 31, 1948. After considering all relevant matters, including the proposed budget of expenses and the proposed rate of assessment submitted by the Southeastern Potato Committee, it is hereby found and determined that:

§ 981.201 *Budget of expenses and rate of assessment.* The expenses necessary to be incurred by the Southeastern Potato Committee, establishing pursuant to the aforesaid marketing agreement and order, to enable such committee to perform its functions pursuant to provisions of the aforesaid marketing agreement and order and regulations duly issued thereunder during the fiscal period ending October 31, 1948, will amount to $38,250.00. The rate of assessment to be paid by each handler who first handles potatoes shall be three-fourths of a cent per bag of 100 pounds each, or its equivalent by weight, shipped by him as the first shipper thereof during such fiscal period; and such rate of assessment is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

It is hereby further found and determined that compliance with the preliminary notice, public rule-making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that:

(a) Harvesting and marketing of potatoes grown in the Southeastern States production area has already begun for the current 1948 season;

(b) Regulations became effective June 4, 1948, limiting shipments of potatoes from the production area;

(c) Itinerant truckers handle potatoes grown in the production area included under the marketing agreement and order;

(d) In order for regulatory assessments to be collected, especially from those handlers who do not have a definite or an established place of business within the production area, it is essential that

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FEDERAL REGISTER

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the assessment rate be fixed immediately so as to enable the Southeastern Potato Committee to perform its duties and functions under said marketing agreement and order;

(e) Pursuant to the requirements of the marketing agreement and order, the assessment rate is applicable to all potatoes handled by first handlers during the aforesaid fiscal period; and compliance with this order will not require any special preparation on the part of handlers.

As used in this section, the terms "handler" "ship" "shipper", "potatoes", and "fiscal period" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 202; 707; 7 U. S. C. 601 *et seq.*)

Done at Washington, D. C., this 15th day of June 1948.

[SEAL] CHARLES F BRANNAN,
*Secretary of Agriculture.*

[F. R. Doc. 48-5462; Filed, June 17, 1948; 8:50 a. m.]

## Chapter XXI—Organization, Functions, and Procedure

### Subchapter D—Agricultural Research Administration

### PART 2402—BUREAU OF AGRICULTURAL AND INDUSTRIAL CHEMISTRY

#### ORGANIZATION

Part 2402 is amended in the following respects:

1. Section 2402.1 *Central organization* is amended as follows:

a. The last sentence of paragraph (a) is amended to read as follows: "The work of the Bureau is conducted pursuant to section 520 of the Revised Statutes (5 U. S. C. 511), the act of June 29, 1935 (sec. 3, 49 Stat. 437; 7 U. S. C. 427b), the Research and Marketing Act (60 Stat. 1082), section 7 (b) of the Strategic and Critical Materials Stock Piling Act (60 Stat. 600) and section 202 of the Agricultural Adjustment Act of 1938 (49 Stat. 437; 7 U. S. C. 1281) "

b. Paragraph (c) is amended to read as follows:

(c) The central organization includes the Administrative Services Division, Personnel Division and the Information Division.

c. The following paragraph (d) is added:

(d) The Allergens Research Division conducts work relating to the distribution, properties and chemical composition of the allergens present in agricultural products and their immunological properties.

2. Section 2402.2 *Field organization* is amended as follows:

a. Subparagraphs (2) and (3) of paragraph (b) are amended to read as follows:

(2) Microbiology Research Division Beltsville, Maryland (microbiology of agricultural products)

(3) Enzyme Research Division, Albany, California (Enzymological and phytochemical study of agricultural products)

b. The following paragraph (e) is added:

(e) *Natural rubber extraction and processing investigations.* Natural Rubber Extraction and Processing Investigations, Salinas, California, conducts research to develop improved methods for extraction and processing of rubber from domestic rubber bearing plants including the guayule plant.

3. Section 2402.4 *Delegations of final authority* is amended to read as follows:

§ 2402.4 *Delegations of final authority.* The heads of the various field units are authorized to exercise limited authority to contract for supplies and services. Limited authority to appoint personnel in accordance with rules of procedure and regulations of the U. S. Civil Service Commission is vested in Regional Personnel Officers.

(R. S. 161, 5 U. S. C. 22)

Done at Washington, D. C., this 15th day of June 1948.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 48-5460; Filed, June 17, 1948; 9:52 a. m.]

# TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[File No. 21-387]

### PART 177—HAND KNITTING YARN INDUSTRY

### TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 15th day of June 1948.

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act) and other provisions of law administered by the Commission;

*It is now ordered,* That the trade practice rules of Group I, as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of June 18, 1948.

*Statement by the Commission.* Trade practice rules for the Hand Knitting Yarn Industry are approved and promulgated by the Federal Trade Commission as hereinafter set forth.

Members of the industry are the persons, firms, corporations and organizations who sell and distribute hand knitting yarn, as defined in the rules, to wholesalers, retailers, or direct to the consumer. Some members process their own yarn, and some have their yarns processed for them by other concerns. As here used, "process" means to dye, bleach, scour, ball, skein, package, or to apply any similar type of operation to hand knitting yarn. Annual volume of sales of industry products is estimated as upwards of $40,000,000, at retail prices.

The rules are directed to the maintenance of free and fair competition in the industry and the elimination and prevention of unfair methods of competition, deceptive practices, and trade abuses. To this end various unfair trade practices are defined and prescribed, and guidance is given in the use of certain significant terms and in making proper disclosure of fiber or material content. Various specific forms of misrepresentation and deception are inhibited; also, the maximum amount of moisture which may be included in representing the weight of consumer units of hand knitting yarn is specified to prevent short weight in consumer units when sold to the public. Other inhibitions embodied in the rules relate to such practices as commercial bribery; unfair distribution under consignment; exclusive dealing; imitation or simulation of trade-marks, trade names, etc., of competitors; defamation of competitors or disparagement of their products; and illegal discrimination.

Proceedings leading to the establishment of the rules were instituted upon the application of the industry, and in the course thereof a trade practice conference was held by the Commission in New York City. Subsequently public notice of hearing was issued together with draft of proposed rules and all interested or affected parties were afforded opportunity to present their views, suggestions, objections, or amendments, if any, respecting the rules and to be heard in the premises. Hearing was accordingly held in Washington, D. C. Thereafter, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved the rules in Group I.

Members of the industry are afforded opportunity to confer with the Director of Trade Practice Conferences and, subject to the Commission's approval, determine a reasonable period of time for making, promptly and diligently, such changes or adjustments in their advertising, labeling, and selling programs as may be necessary under these rules. Subject thereto, the rules as set forth below become operative thirty (30) days from date of promulgation.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition, that the rules are to be applied.

Further, these rules do not in any respect supplant, or relieve anyone of the necessity of complying with, requirements of applicable promulgated trade practice rules, such as the Rayon Rules promulgated October 26, 1937, the Silk Rules promulgated November 4, 1938, and the Linen Rules promulgated February 1, 1941.

GROUP I


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177.0 General statement.
177.00 Definitions.
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177.2 Deceptive labeling and misrepresentation of product.
177.3 Deception as to place of origin.
177.4 Identification and disclosure of fiber or material content.
177.5 Misuse of words "zephyr" "tweed" "crepe" "cashmere" "mohair" "Angora rabbit" and "Angora rabbit hair"
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177.17 Aiding or abetting use of unfair trade practices.


AUTHORITY: §§ 177.0 to 177.17, inclusive, issued under 38 Stat. 717, as amended, 15 U. S. C. 41, et seq.

GROUP I

§ 177.0 *General statement.* The unfair trade practices embraced in §§ 177.1 to 177.17, inclusive, are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 177.00 *Definitions.* As used in these §§ 177.1 to 177.17, inclusive, the terms "hand knitting yarn" and "consumer unit" have the following meanings, respectively:

(a) *Hand knitting yarn.* Any yarn used in hand knitting, hand crocheting, hand weaving, hand rug making, hand tapestry making, or similar handiwork, which contains, purports to contain, or in any way is represented as containing wool, reprocessed wool, or reused wool.

(b) *Consumer unit.* Any ball, bundle, skein, tube, or package which contains a quantity of hand knitting yarn (as hand knitting yarn is above defined) and in such form is sold to consumers for use.

§ 177.1 *Misrepresentation as to character of business.* It is an unfair trade practice for any member of the industry to represent, directly or indirectly, through the use of the word "mill" or "mills," of the word "manufacturer," or any other word, term, or representation of similar import or meaning, in his corporate or trade name, or otherwise, that he is a manufacturer of hand knitting yarn or that he is the owner or

operator of a mill, factory, or producing company manufacturing hand knitting yarn, when such is not the fact, or in any other manner to misrepresent the character, extent, or type of his business. [Rule 1]

§ 177.2 *Deceptive labeling and misrepresentation of product.* It is an unfair trade practice to use, or cause or promote the use of, any trade promotional literature, advertising matter, guarantee, warranty, mark, brand, label, designation, or representation, however disseminated or published, which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, directly or by reason of deceptive concealment or nondisclosure of fact:

(a) With respect to the grade, quality, quantity, weight, yardage, size, fiber or material content, place of origin, durability, washability, colorfastness, resistance to shrinkage, immunity to moth damage, construction, processing, manufacture, distribution, use; or

(b) Which in any other respect has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public. [Rule 2]

§ 177.3 *Deception as to place of origin.* (a) It is an unfair trade practice to use any word, phrase, symbol, depiction, or other representation, indicative of a foreign country or other geographical locality of origin, as descriptive of any hand knitting yarn, or of fiber or material contained therein, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers into the belief that the yarn, fiber, or material so referred to originated or was produced in such country or geographical locality when such is not the fact, or which is false, misleading, or deceptive in any other respect.

(b) When fiber or material contained in any hand knitting yarn is produced in one foreign country or geographical locality but is spun, manufactured, or processed in another country or geographical locality, and reference to the origin of such fiber or material is made in the advertising, labeling, or marketing of the product, such reference to the place of origin shall be nondeceptively qualified or so stated as to show, clearly and truthfully, that the spinning, manufacture, or processing was performed in a different country or geographical locality from that of the origin of the fiber or material (all to the end that misunderstanding and deception of purchasers may be avoided or prevented) as for example:

Made in U. S. A.
of Wool Produced in Scotland.

(c) Imported yarn or merchandise is also required to be properly marked as to foreign origin in accordance with the provisions of the customs laws or regulations, and other applicable provisions of law or regulation relating to the marking of imported articles; and no misrepresentation or deception, directly or by implication, shall be practiced in the marketing of such yarn or merchandise in the channels of trade or to the consuming public. [Rule 3]

§ 177.4 *Identification and disclosure of fiber or material content.* (a) In the sale, offering for sale, or distribution of hand knitting yarn, it is an unfair trade practice to deceptively designate or misrepresent the fiber or material content of such yarn or to fail to properly disclose the fiber or material content thereof in accordance with the following provisions of this section.

(b) *Disclosure of content in labeling.* The content of any consumer unit of hand knitting yarn which contains, purports to contain, or in any way is represented as containing "wool," "reprocessed wool," or "reused wool," shall be shown on a stamp, tag, label, or other means of identification, on or affixed thereto, in accordance with the requirements of the Wool Products Labeling Act and the rules and regulations promulgated thereunder.

(c) *Disclosure of content in advertising and invoices.* Where nondisclosure of fiber or material content of hand knitting yarn, or of the fact that any fiber or material contained in such yarn is reprocessed or reused, in advertising, trade promotional literature and invoices, has the capacity and tendency or effect of misleading or deceiving purchasers or the consuming public with respect to such content, disclosure shall be made therein by setting forth the common generic name of the fiber, fibers, or material contained in such yarn, qualified by the word "Reprocessed" or "Reused" where applicable to the fiber or material referred to, and showing either the percentage by weight of each constituent fiber or material or listing such constituents in the order of their predominance by weight.

(1) *Alternative method of disclosure of content in advertising.* Where advertisements refer to products in classes or groups, the content may be disclosed therein by a short statement nondeceptively set forth showing the content by classes or products, as for example:

Hand knitting yarns of mixed wool and silk; others of reprocessed wool and rayon; also wool and rabbit hair—Respective contents shown on the label.

(2) *Alternative method of disclosure of content in certain invoices.* With respect to disclosure of content in invoices provided for in this section, if, because of a multiplicity of items of different fiber or material composition, it is impracticable to have the content of the different items set out on the face or back of the invoice or otherwise specifically listed therein, a statement in lieu of such specific listing of content in the invoice may be set forth in such invoice to the effect that the seller warrants that each and every item coming under §§ 177.1 to 177.17, inclusive, and covered by such invoice is properly marked and labeled as to content in full conformity with the applicable requirements: *Provided,* Such products are so labeled and marked. The following is an example of the abovementioned statement to be set out on invoices under the provisions of this paragraph:

The seller hereby warrants that the contents of the products covered by this invoice are clearly and truthfully disclosed and marked on stamps, tags, labels, brands, or other means of identification, attached to the respective products, in accordance with applicable requirements of law and trade practice rules.

[Rule 4]

§ 177.5 *Misuse of words "zephyr," "tweed," "crepe" "cashmere," "mohair" "angora rabbit," and "angora rabbit hair"* It is an unfair trade practice to use the words "zephyr," "tweed," "crepe," "cashmere," "mohair," "angora rabbit," and "angora rabbit hair" contrary to the following respective provisions, or the identification and disclosure provisions of § 177.4, or in any other manner which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers:

(a) *Zephyr* The word "zephyr" shall not be used to describe any hand knitting yarn which is not all virgin wool worsted yarn of a fineness not lower than that prescribed for 64's in the Official Standard of the United States for Grades of Wool and Wool Top issued by the United States Department of Agriculture.

(b) *Tweed.* The word "tweed," or any other word or term of similar import, shall not be used to describe any hand knitting yarn which is not composed wholly of woolen fiber and which is not of the distinctive pattern or type which produces a tweed effect when knitted.

(c) *Crepe.* The word "crepe," or any other word or term indicative of silk, shall not be used to describe any hand knitting yarn which is not composed wholly of silk, the product of the cocoon of the silkworm; *Provided, however,* That such term may be used truthfully to describe the type of construction or finish of hand knitting yarn if such term is legibly, clearly, and nondeceptively qualified in immediate conjunction therewith by the name of the fiber, fibers, or material comprising such yarn, set forth in the order of their predominance by weight.

(d) *Cashmere.* The word "Cashmere," or any other word or term of similar import, shall not be used to describe any hand knitting yarn or any fiber contained therein when such yarn or fiber is not composed entirely of the hair or fleece of the Cashmere goat, subject to the further provisions set forth below in paragraph (g) of this section.

(e) *Mohair.* The word "mohair" shall not be used as descriptive of any hand knitting yarn or any fiber contained therein when such yarn or fiber is not composed entirely of the hair or fleece of the Angora goat, subject to the further provisions set forth below in paragraph (g) of this section.

(f) *Angora rabbit* or *angora rabbit hair* The term "angora rabbit" or "angora rabbit hair" shall not be used as descriptive of any hand knitting yarn or any fiber contained therein when such yarn or fiber is not composed entirely of the hair or fleece of the Angora rabbit, subject to the provisions set forth below in paragraph (g) of this section.

(g) *Required qualifications respecting use of terms "cashmere," "mohair" "angora rabbit," and "angora rabbit hair" in mixed yarns.* The word "Cashmere," "Mohair," "Angora rabbit," or "Angora rabbit hair" may be used truthfully to describe that portion of hand knitting yarn composed of the hair or fleece so designated, if clearly and non-deceptively qualified by setting forth, in immediate conjunction therewith, the other fiber or material content of such yarn in accordance with the provisions of § 177.4. [Rule 5]

§ 177.6 *Short weight, short measure, and misrepresentation as to quantity.* (a) To the end that purchasers may be correctly informed and deception resulting from short weight or short measure in consumer units when sold to the public may be avoided and prevented, the quantity of hand knitting yarn contained in any consumer unit shall be disclosed by tag, label, or mark on or affixed thereto, clearly and non-deceptively showing the correct weight of the yarn therein; and the yarn therein contained shall be sufficient to provide the full weight of yarn so stated on the tag, label, or mark without inclusion of more than 10% moisture (such 10% moisture content being equivalent to 11.1% moisture regain) *Provided, however* That in the case of yarn containing acetate rayon, nylon, or cotton, such above-mentioned moisture content limit of 10% shall be reduced 1% for each 25% or fractions thereof, by weight, of acetate rayon, nylon, and cotton contained in the yarn: *And provided further* That tapestry, mending, and embroidery yarns, in quantities not exceeding 50 yards for each consumer unit may be tagged, labeled, or marked according to linear measure only.

(b) Under this section it is an unfair trade practice to sell, offer for sale, or distribute hand knitting yarn which does not contain the full weight of yarn indicated on the consumer unit, or which, in the case of tapestry, mending, or embroidery yarn, does not contain the full linear measure stated on the consumer unit in which the product is so sold, offered for sale, or distributed.

(c) It is an unfair trade practice to cause hand knitting yarn to be offered for sale, sold, or distributed under any tag, label, mark, or representation which is otherwise false, misleading, or deceptive as to weight or quantity.

(d) Nothing in this section shall be construed as limiting one in the use of any particular method for reeling or packaging consumer units of yarn when such method of reeling or packaging results in having such consumer units contain full weight of yarn on the basis of not more than 10% moisture content, equivalent to 11.1% moisture regain. [Rule 6]

§ 177.7 *Representing retail prices as wholesale.* It is an unfair trade practice for any member of the industry to advertise for sale, offer to sell, or sell hand knitting yarns at prices represented to be wholesale, through the medium of invoices, letterheads, statements, labels, printed matter, advertisements, or by the use of the words "wholesaler," "manufacturer," "jobber," or "broker," or in any other manner, when in truth and in fact such prices are not wholesale prices, or to otherwise misrepresent the price of such yarns. [Rule 7]

§ 177.8 *False invoicing.* Withholding from or inserting in invoices or sales tickets any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transaction represented on the face of such invoices or sales tickets, with the effect of thereby misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice. [Rule 8]

§ 177.9 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase hand knitting yarns manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 9]

§ 177.10 *Coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice. [Rule 10]

§ 177.11 *Consignment selling.* It is an unfair trade practice for any member of the industry to use the practice of shipping goods on consignment or pretended consignment for the purpose and with the effect of artificially clogging trade outlets and unduly restricting competitors' use of said trade outlets in getting their goods to consumers through regular channels of distribution, or with such purpose to entirely close said trade outlets to such competitors so as to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade: *Provided, however,* That nothing herein shall be construed or used as restricting or preventing consignment shipping or marketing of commodities in good faith and without artificial interference with competitors' use of the usual channels of distribution in such manner as thereby to suppress competition or restrain trade. [Rule 11]

§ 177.12 *Exclusive deals.* (a) It is an unfair trade practice for any member of the industry to purchase or otherwise acquire the stock of hand knitting yarn of a competitor or competitors of such industry member from a customer of such competitor or competitors, whether such acquisition is effected by acceptance of such competitive yarn in exchange for that of such industry member or extension of credit or granting of other concession in lieu thereof, or otherwise:

(1) Upon any express or implied condition, agreement, or understanding that such customer will discontinue handling competitive products and will handle such member's products exclusively or

(2) As an inducement to such customer to discontinue handling competitive products and to handle such member's products exclusively;

and where the effect of such acts or practices may be to substantially lessen competition, or tend to create a monopoly, or to unreasonably restrain trade.

(b) It is an unfair trade practice for any member of the hand knitting yarn industry to make a sale or contract for sale of hand knitting yarns, or fix a price charged therefor, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the purchaser thereof shall not use or deal in hand knitting yarn of a competitor or competitors of such member, where the effect of such sale or contract for sale or such condition, agreement, or understanding may be to substantially lessen competition or tend to create a monopoly in any line of commerce.[1] [Rule 12]

§ 177.13 *Imitation or simulation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, or of the exclusively owned styles, designs, or patterns of competitors which have not directly or by operation of law been dedicated to the public, with the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice. [Rule 13]

§ 177.14 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representation, or the false disparagement of the grade, quality, or manufacture of the products of competitors, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 14]

§ 177.15 *Discriminatory returns.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to discriminate in favor of one customer-purchaser against another customer-purchaser of hand knitting yarns, bought from such member of the industry for resale, by contracting to fur-

[1] As used in §§ 177.1 to 177.17, inclusive, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

nish or furnishing in connection therewith, upon terms not accorded to all customer-purchasers on proportionally equal terms, the service or facility whereby such favored purchaser is accorded the privilege of returning hand knitting yarns so purchased and receiving therefor credit or refund of purchase price: *Provided, however* That nothing in §§ 177.1 to 177.17, inclusive, shall prohibit or be used to prevent the return of merchandise by purchaser, for credit or refund of purchase price, when and because such merchandise has not been properly labeled by the seller as to fiber or material content, or has been otherwise falsely or deceptively labeled or represented, or when and because such merchandise is defective in material, workmanship, or in any other respect contrary to warranty or purchase contract. [Rule 15]

§ 177.16 *Prohibited discrimination.*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* In the marketing in commerce[1] of hand knitting yarns of like grade and quality for use, consumption, or resale within the jurisdiction of the United States and subject to subparagraphs (1) (2) and (3) of this paragraph, it is an unfair trade practice for any member of the industry engaged therein to discriminate in price between different purchasers where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with such industry member or with any person who knowingly receives the benefit of such discrimination or with their customers.

The inhibitions against such discrimination in price shall be applicable irrespective of whether the discrimination in the price itself is effected in the form, or through the means, of rebates, refunds, discounts, credits, allowances, or other form of price differential.

(1) Nothing, however, herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which the hand knitting yarns are sold or delivered to said purchasers.

(2) Nor shall anything herein contained prevent persons engaged in selling products in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade.

(3) Nor shall anything herein contained prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the products concerned, or (ii) the marketability of the products, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the products concerned.

(b) *Prohibited brokerage or commissions.* In the selling of hand knitting yarns in commerce,[1] it is an unfair trade practice for any member of the industry engaged therein to pay or grant, or to receive or accept, any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of such products, either to the other party to such transaction or to an agent, representative, or other intermediary therein, where such agent, representative, or other intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* In the selling of hand knitting yarns in commerce[1] by any member of the industry and in the course thereof, it is an unfair trade practice for such member to pay or contract for the payment of anything of value to or for the benefit of his customer as compensation or in consideration for certain services or facilities furnished by or through such customer, unless such payment or consideration is available on proportionally equal terms to all other customers of such member competing in the distribution of such products.

(1) As used in this paragraph the certain services or facilities referred to are such as are furnished by or through the customer in connection with the processing, handling, sale, or offering for sale, of such industry member's products.

(d) *Prohibited discrimination in services or facilities.* In the sale of hand knitting yarns bought for resale, with or without processing, it is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser by furnishing certain services or facilities upon terms not accorded to all purchasers on proportionally equal terms.

(1) Said services or facilities referred to in this paragraph are such as are connected with the processing, handling, sale, or offering for sale, of the hand knitting yarn purchased, and the term "furnishing" as used in this paragraph shall be construed as including contracting to furnish, and contributing to the furnishing of, the services or facilities.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry, in the course of commerce[1] in which he is engaged, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Exemptions.* The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. [Rule 16]

§ 177.17 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in §§ 177.1 to 177.17, inclusive. [Rule 17]

A Committee on Trade Practices is hereby created to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper to put these rules into effect.

Promulgated and issued by the Federal Trade Commission June 18, 1948.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 48-5457; Filed, June 17, 1948; 8:48 a. m.]

# TITLE 43—PUBLIC LANDS: INTERIOR

## Subtitle A—Office of the Secretary of the Interior

PART 01—ORGANIZATION AND PROCEDURE

BOARD ON GEOGRAPHIC NAMES

CROSS REFERENCE: Codification of the statements of organization of the Board on Geographic Names, appearing at 43 CFR, 1946 Supp., 01.30, has been discontinued. For revision of the Board's statement of organization see Board on Geographic Names in Notices section, *infra.*

## Chapter I—Bureau of Land Management, Department of the Interior

*Appendix—Public Land Orders*

[Public Land Order 484]

ALASKA

REVOKING IN PART EXECUTIVE ORDER 1039 OF FEBRUARY 27, 1909, AS AMENDED, ESTABLISHING TUXEDNI NATIONAL WILDLIFE REFUGE

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 1039 of February 27, 1909, establishing the Tuxedni Reservation, now the Tuxedni National Wildlife Refuge, in Alaska, is hereby revoked so far as it affects the tract of public land hereinafter described.

This order shall not otherwise become effective to change the status of such land until 10 a. m. on August 9, 1948. At that time the land, which is unsurveyed, shall, subject to valid existing rights and the provisions of existing withdrawals, be opened to settlement under the homestead laws only, and to that form of appropriation only by qualified veterans of World War II for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), as amended, subject to the requirements of the homestead laws. Commencing at 10:00 a. m. on November 8, 1948, any such land not settled upon by veterans shall become subject to settlement and any other forms of appropriation by the public generally in accordance with appropriate laws and regulations.

The land is described by metes and bounds as follows:

Beginning at Corner No. 1, a point at the line of mean high tide on the southwest side of Chisik Island, northeast shore of Tuxedni

[1] See footnote on p. 3297.

Channel, Latitude 60°06'16" north, Longitude 152°34'39" west; from which U. S. L. M., No. 2694 bears N. 57°16' E., 1.00 chain distant,

Thence northwesterly along the line of mean high tide of Tuxedni Channel to Corner No. 2; East, 17.89 chains to Corner No. 3; south, 15.84 chains to Corner No. 1 to place of beginning.

The tract as described contains 19.64 acres.

The above land is located on the southwest side of Chisik Island and the northeast shore of Tuxedni Channel. The portion immediately adjacent to Tuxedni Channel is level. The remaining area lies on a gentle southerly slope.

The land described above is covered by soldiers' additional application Anchorage 010877 of Eric J. Fribrock, Joseph R. Fribrock, and Iris M. Fribrock, doing business as copartners under the name of Snug Harbor Packing Company. The applicants allege that they have constructed a salmon cannery on this site and that since 1919 they have occupied the land for cannery purposes.

WILLIAM E. WARNE,
*Assistant Secretary of the Interior.*

JUNE 7, 1948.

[F. R. Doc. 48-5439; Filed, June 17, 1948; 8:45 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

PART 11—ESTABLISHMENT, ETC., OF NATIONAL WILDLIFE REFUGES

ALASKA

CROSS REFERENCE: For order revoking in part Executive Order 1039, which established the Tuxedni National Wildlife Refuge, Alaska, and which is listed in the tabulation contained in § 11.1, see Public Land Order 484 in the Appendix to Chapter I of Title 43, *supra*.

# PROPOSED RULE MAKING

## DEPARTMENT OF AGRICULTURE

### Production and Marketing Administration

[7 CFR, Part 903]

[Docket No. AO-10-A-11]

HANDLING OF MILK IN ST. LOUIS, MO., MILK MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Supps. 900.1 et seq., 12 F. R. 1159, 4904), notice is hereby given of a public hearing to be held in the Coronado Hotel, at St. Louis, Missouri, beginning at 10:30 a. m., c. d. t., on June 28, 1948, for the purpose of receiving evidence with respect to the proposed amendment hereinafter set forth to the tentative marketing agreement, as heretofore approved (12 F. R. 5760) by the Secretary of Agriculture, and to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, milk marketing area (8 F. R. 17451, 12 F. R. 5833). This proposed amendment has not received the approval of the Secretary of Agriculture.

The following amendment has been proposed:

By Sanitary Milk Producers:

Delete the period at the end of § 903.4 (a) (1) and add the following: "*Provided*, That if during the twelve months immediately preceding the delivery period the total amount of milk delivered by producers is less than 130 percent of the total Class I milk reported by all the handlers as determined by the market administrator, an additional 45 cents per hundredweight shall be added to the Class I price for the months of July through December, and 23 cents for the months of January through March."

Copies of this notice of hearing and of the tentative marketing agreement, and the order now in effect, may be procured from the market administrator, 4030 Chouteau Avenue, St. Louis, Missouri, or from the Hearing Clerk, United States Department of Agriculture, Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated: June 14, 1948.

[SEAL] JOHN I. THOMPSON,
*Assistant Administrator.*

[F. R. Doc. 48-5451; Filed, June 17, 1948; 8:46 a. m.]

# NOTICES

## BOARD ON GEOGRAPHIC NAMES

STATEMENT OF ORGANIZATION

The following statement of organization is published pursuant to section 3 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., sec. 1002) and the act of July 25, 1947 (Public Law 242, 80th Congress; 43 U. S. C. A. sec. 364 et seq.). 43 CFR, 1946 Supp., 01.30, is revoked.

*Board on Geographic Names.* (a) The Board on Geographic Names, conjointly with the Secretary of the Interior, is charged with responsibility of providing for uniformity in geographic nomenclature and orthography throughout the Federal Government. The Board is composed of one representative from each of the Departments of State, Army, Navy, Post Office, Interior, Agriculture, Commerce, Air Force, and from the Government Printing Office, the Library of Congress, and the Central Intelligence Agency.

(b) The Board, subject to the approval of the Secretary of the Interior, formulates principles, policies, and procedures to be followed with reference both to domestic and to foreign geographic names; and decides the standard names and their orthography for official use. Action may be taken by the Secretary of the Interior in any matter wherein the Board does not act within a reasonable time. The Secretary of the Interior promulgates, in the name of the Board, decisions with respect to geographic names and principles of geographic nomenclature and orthography which are thereafter standard for all material published by the Federal Government.

(c) Inquiries should be addressed to the Executive Secretary, Board of Geographic Names, Interior Building, Washington 25, D. C.

MEREDITH F. BURRILL,
*Executive Secretary,*
*Board on Geographic Names.*

[F. R. Doc. 48-5440; Filed, June 17, 1948; 8:48 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 1693 et al.]

FLORIDA AIRWAYS, INC., ADDITIONAL SERVICE TO FLORIDA CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Florida Airways, Inc., under Dockets Nos. 2328, 2352, and 2370, as amended, for an amendment to its certificate of public convenience and necessity for route No. 75 so as to extend said local and feeder service to 16 additional cities all within the State of Florida.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be heard June 23, 1948, at 10 a. m. (eastern daylight time) in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 14, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 48-5458; Filed, June 17, 1948; 8:49 a. m.]

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[Docket No. 3291]

PENNSYLVANIA CENTRAL AIRLINES CORP. AND NATIONAL AIRLINES, INC., INTERCHANGE AGREEMENT

POSTPONEMENT OF HEARING

In the matter of the petition of Pennsylvania Central Airlines Corporation and National Airlines, Inc., for approval under section 412 of the Civil Aeronautics Act and such other sections of the Act, if any, as may be applicable thereto, of an agreement between said carriers relating to the interchange of equipment.

At the request of counsel for National Airlines, Inc., the date for hearing in the above-entitled proceeding is hereby postponed from June 22, 1948 to July 12, 1948, at 10:00 a. m., (eastern daylight saving time) in Room 2015, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Edward T. Stodola.

Dated at Washington, D. C., June 14, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 48-5459; Filed, June 17, 1948; 8:49 a. m.]

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## SECURITIES AND EXCHANGE COMMISSION

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., AND J. A. SISTO & CO.

NOTICE OF TIME FOR FILING WRITTEN REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 14th day of June 1948.

The National Association of Securities Dealers, Inc., a registered securities association (hereinafter referred to as the Association) filed with this Commission on February 15, 1948 an application pursuant to section 15 A (b) (4) of the Securities Exchange Act of 1934, as amended, for approval of the admission to membership of J. A. Sisto & Co. in the Association.

Among other things, the above application states that:

A. J. A. Sisto & Co. (hereinafter referred to as the Company) a partnership with its principal place of business at 60 Wall Street in the City of New York, is presently registered with the Commission as a broker-dealer under section 15 (b) of the Securities Exchange Act of 1934.

B. J. A. Sisto, a partner of the Company, was expelled on December 28, 1938 from membership in the New York Stock Exchange for conduct inconsistent with just and equitable principles of trade.

C. On November 26, 1939, the Company filed a petition with the Commission pursuant to the said section 15 A (b) (4), requesting an order approving or directing its admission to membership in the Association. On July 1, 1940 the Commission denied said petition.

D. On November 28, 1942, the Company filed a second petition with the Commission requesting the same relief as set forth in paragraph C above. On November 1, 1944 the Commission denied this second petition.

E. On December 15, 1947 the Company filed a new application with the Association for admission to membership therein.

F The District Committee for District No. 13 and the Board of Governors of the Association have considered the said application for membership filed on December 15, 1947, have reviewed the entire record related thereto including the prior opinions of the Commission, have considered the activity of J. A. Sisto, personally, and that of the Company since 1938, and their general reputation in the business community, believe that the Company has been sufficiently penalized for the practices which were the subject of the aforesaid disciplinary action in 1938, have concluded that admission of the Company to membership in the Association would be consonant with the stated purposes and policies of Section 15A of the Securities Exchange Act of 1934 and recommend that the Commission approve the admission of the Company to membership in the Association.

Under the provisions of the said section 15A (b) (4) and section 2 of Article I of the Association's By-Laws, the Company may not be admitted to membership in the Association in view of the expulsion of J. A. Sisto from the New York Stock Exchange, except with the approval of the Commission based upon a finding that such approval is appropriate in the public interest.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with Peter T. Byrne, Regional Administrator of the Commission's New York Regional Office, Equitable Building, 120 Broadway, New York 5, New York, on or before July 8, 1948, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice, or if it should appear appropriate to do so, will grant the application on the basis of the record and without formal hearing.

This notice shall be served on the Company and the Association not less than fifteen (15) days prior to July 8, 1948 and published in the FEDERAL REGISTER in the manner prescribed by the FEDERAL REGISTER Act not later than fifteen (15) days prior to July 8, 1948.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5450; Filed, June 17, 1948; 8:46 a. m.]

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[File No. 70-1861]

LONG ISLAND LIGHTING CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of June 1948.

Notice is hereby given that a declaration has been filed with this Commission by Long Island Lighting Company ("Long Island"), a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. Declarant has designated section 6 (a) of the Act as applicable to the proposed transaction.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Long Island proposes to issue and sell to four commercial banks for cash at face amount $8,000,000 of unsecured promissory notes bearing interest at the rate of 2¼% per annum. The initial notes will be issued on July 6, 1948, or on the second day after the entry of the Commission's order permitting the declaration to become effective, whichever is later, and the final notes will be issued on or before September 30, 1948. Each note will mature eleven months from date of issuance except that no note will mature later than July 15, 1949. The proceeds of the notes will be used for construction purposes or to pay bank loans, the proceeds of which were used for construction requirements.

Declarant states that no Commission, other than this Commission, has jurisdiction over the proposed transaction.

It appearing that the Long Island Lighting Company Preferred Stockholders Group has requested that oral argument be had before the Commission and that, at such argument, each interested person may refer to the proceeding instituted by this Commission pursuant to section 11 (b) (2) of the act directed to Long Island Lighting Company, Queens Borough Gas and Electric Company, Nassau & Suffolk Lighting Company, and Long Beach Gas Company, Inc., in order to determine whether voting power is unfairly and inequitably distributed among the security holders of each of said companies (File No. 59-83) and to the proceeding with respect to the plan jointly filed by Long Island Lighting Company, Queens Borough Gas and Electric Company, and Nassau & Suffolk Lighting Company pursuant to section 11 (e) of the act for their consolidation and the recapitalization of the resultant consolidated corporation (File No. 54-136), which proceed-

ings have been consolidated for hearing and disposition; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that oral argument be held with respect to said declaration, and that such declaration shall not be permitted to become effective except pursuant to further order of the Commission:

*It is hereby ordered,* Pursuant to sections 6 (a) 7, and 18 of the Act that oral argument be held on said declaration on June 28, 1948, at 2:30 o'clock p. m., e. d. s. t., in the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk will advise as to the room in which such argument will be held. Any person desiring to be heard in connection with this proceeding, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before June 25, 1948, a written request relative thereto, as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered,* That, at said oral argument, reference may be made to the record in the consolidated proceedings in File Nos. 59–83 and 54–136.

*It is further ordered,* That the Secretary of the Commission shall serve notice of the aforesaid argument by mailing a copy of this order by registered mail to Long Island Lighting Company and the Public Service Commission of the State of New York, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5445; Filed, June 17, 1948; 8:45 a. m.]

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[File Nos. 4-63, 54-169, 68-84]

MARKET STREET RAILWAY CO. ET AL.

NOTICE OF FILING OF PLAN AND NOTICE OF AND ORDER FOR HEARING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 11th day of June 1948.

In the matter of Market Street Railway Company, and Standard Gas and Electric Company and certain of its subsidiary companies, File No. 4-63; Russell M. Van Kirk, Bloomfield Hulick, Edmund T. Willetts, Committee for the Market Street Railway Company Prior Preference Capital Stock, File No. 68-84; Market Street Railway Company, File No. 54-169.

I. The Commission, on May 20, 1947, issued its order pursuant to sections 11 (a), 18 (a) and 18 (b) of the Public Utility Holding Company Act of 1935 ("Act") requiring that public hearings be held for the purpose of inquiring into and receiving evidence concerning the relationships among Standard Gas and Electric Company ("Standard Gas") a registered holding company, and its subsidiaries, Market Street Railway Company ("Market Street"), and Public Utility Engineering and Service Corporation (formerly known as Byllesby Engineering and Service Company), the character of the interest of Standard Gas in Market Street, and particularly the facts and circumstances giving rise to an open account on the books of Market Street in favor of Standard Gas, all as fully set forth in Holding Company Act Release No. 7425. Pursuant to that order, hearings have been held from time to time and are presently in adjournment, subject to the call of the hearing officer.

There is presently pending in the District Court of the United States for the Northern District of California, Southern Division, an action (Civil Action No. 26807-R) brought by Standard Gas against Market Street upon open account indebtedness on the books of Market Street owing to Standard Gas in the amount of $976,726.63. Standard Gas' claim in this action aggregates, with interest, the sum of $1,111,494.67, the difference of $134,768.04 resulting from Market Street having accrued interest at the rate of 4% per annum, whereas Standard Gas accrued interest at the rate of 6% per annum. Russel M. Van Kirk, Bloomfield Hulick and Edmund T. Willetts, as a Committee for the Market Street Railway Company Prior Preference Capital Stock ("Committee") have appeared in said action and Lea Rosen, a holder of Prior Preference Stock, has filed a petition for leave to intervene in the action. As part of the plan hereinafter summarized, Market Street, Standard Gas and the Committee have agreed upon a settlement of the above-mentioned open account indebtedness and the litigation with respect thereto instituted by Standard Gas.

Notice is hereby given that Market Street has filed with the Commission a plan pursuant to section 11 (e) providing, in effect, for a distribution of its assets and its ultimate liquidation and dissolution.

All interested persons are referred to the plan which is on file in the offices of this Commission for a statement of the transactions proposed. There follows a summary of certain facts necessary to an understanding of the plan and a summary of the provisions of the plan.

II. Market Street is a corporation organized under the laws of the State of California. It was engaged in the business of operating a street railway transportation system until the year 1944 when it sold its major physical assets to the city of San Francisco, California. Since that time it has been in the process of liquidation.

As at December 31, 1947, Market Street had an open account indebtedness due Standard Gas of $976,726.63. In addition there were outstanding the following securities:

| Name of security | Number of shares outstanding | Amount | Arrears | |
|---|---|---|---|---|
| | | | Per share | Amount |
| Prior preference 6 percent cumulative stock, $100 par value | 116,185 | $11,618,500 | $154.50 | $17,950,582.50 |
| Preferred 6 percent cumulative stock, $100 par value | 40,883½ | 4,088,350 | 100.50 | 8,008,884.25 |
| Second preferred 6 percent stock, $100 par value | 40,727 | 4,072,700 | | |
| Common stock, $100 par value | 100,474 | 10,074,400 | | |

All of the Prior Preference Stock is publicly held. Standard Gas owns 39,250 shares of Preferred Stock, 25,500 shares of Second Preferred Stock and all of the Common Stock; these holdings constitute 39.67% of the voting power of Market Street.

According to its balance sheet, as of December 31, 1947, Market Street's total assets amounted to $3,614,834.97, of which $1,919,232 represented the unpaid balance of the purchase price of its operating properties due from the city and county of San Francisco. As of the same date, Market Street had contingent liabilities with respect to 197 pending suits and claims for injuries and damages in which judgments were prayed for in the aggregate amount of $2,770,976.71, and certain claims for compensation and benefits arising from compensable injuries and death of former employees.

III. In summary, the plan provides as follows:

1. Market Street will pay to Standard Gas the sum of $550,000; Standard Gas and Market Street will deliver to each other releases and discharges of any and all liability to each other for any cause whatsoever.

2. The attorney for the Committee will be paid $50,000, of which Market Street and Standard Gas will each pay $25,000.

3. The Committee will be paid $25,000, of which Market Street and Standard Gas will each pay $12,500. In addition, Market Street will reimburse the Committee for expenses in an amount estimated not to exceed $5,000.

4. Market Street will sell its remaining real estate and office furniture and fixtures.

5. Market Street will collect from the city and county of San Francisco the balance of the purchase price of its operating properties, together with interest thereon.

6. Market Street will dispose of all claims pending against it for injuries and damages, and all claims for workmen's compensation and benefits.

7. Market Street will pay such fees and expenses in connection with the plan as shall be approved by the Commission, with the proviso that the fees to be paid by Market Street to the Committee and its attorney shall not exceed the amounts provided in the plan.

8. After the foregoing steps have been taken, or provision for payment made, the remaining assets of Market Street

will be distributed pro rata to the holders of its Prior Preference Stock.

9. Market Street has requested that the Commission, if it approves the plan, apply to a court, in accordance with sections 11 (e) and 18 (f) of the act, to enforce and carry out the plan. Upon the plan's becoming effective by a final order of the Commission and a final decree of court, it is provided in the plan that all rights of the holders of the Preferred Stock, Second Preferred Stock and Common Stock of Market Street shall cease and terminate and such holders shall have no further rights to vote or participate in any distribution of the assets of Market Street upon liquidation.

10. Within 100 days after the plan has become effective, a special meeting of the holders of Prior Preference Stock will be held to elect a new Board of Directors. If such effective date occurs within 100 days of the next regular meeting of stockholders, no special meeting will be held and the new Board of Directors shall be elected at such next regular meeting.

IV The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission in the public interest and the interest of investors and consumers that a hearing be held with respect to the plan filed herein to afford all interested persons an opportunity to be heard with respect thereto; and

It appearing to the Commission that the proceedings in File Nos. 4-63 and 68-84 contain facts and data pertinent to the present proceeding and should be consolidated with the record concerning the plan filed herein:

*It is ordered,* That the proceedings in File Nos. 4-63 and 68-84, entitled "Market Street Railway Company, et al.," and "Russell M. Van Kirk, et al.," respectively, be and the same hereby are consolidated with these proceedings (File No. 54-169)

*It is further ordered,* That a hearing in these consolidated proceedings be held on July 13, 1948, at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D. C. On that day the hearing room clerk in Room 101 will advise as to the room in which the hearing will be held.

*It is further ordered,* That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before July 9, 1948 his request or application therefor as provided by Rule XVII of the Commission's rules of practice. Such request shall set forth the nature of such person's interest in the proceedings, the reasons for requesting to be heard or to intervene, which of the issues such person proposes to controvert and a statement of any additional issues proposed to be raised in the proceedings herein.

*It is further ordered,* That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the plan as submitted or as it may hereafter be modified is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected thereby, and, if not, in what respects said plan, including any modifications thereof, should be required to be modified and amended.

2. Whether the amount proposed to be paid by Market Street to Standard Gas by way of settlement is fair and equitable, and whether the treatment of the interests of Standard Gas in Market Street, as compared with those of other security holders in Market Street, is fair and equitable.

3. Whether the provisions in the plan relating to the election of a new Board of Directors are appropriate and in the best interests of all the holders of Prior Preference Stock of Market Street.

4. Whether the provision in the plan that the rights of the holders of Preferred Stock, Second Preferred Stock and Common Stock of Market Street shall cease and terminate is fair and equitable.

5. Whether the plan should be modified to provide that no other payments shall be made by Market Street until payment of or provision has been made for all claims for injuries and damages and workmen's compensation and benefits.

6. Whether the Commission should approve the amounts proposed to be paid to the Committee and its attorney by way of reimbursement for expenses and allowances for legal and other services.

7. Generally, whether the proposed plan and transactions set forth therein are in all respects in the public interest and in the interest of investors and consumers, and consistent with all the applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the applicable statutory standards:

*It is further ordered,* That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

*It is further ordered,* That jurisdiction be, and it hereby is, reserved to separate, either for hearing in whole or in part or for disposition either in whole or in part, any of the issues or questions set forth herein or which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

*It is further ordered,* That notice of said hearing be given by registered mail to Market Street Railway Company, Standard Gas and Electric Company, Public Utility Engineering and Service Company, William J. Cogan, Esq., Milton Paulson, Esq., the California Railroad Commission, and the City of San Francisco, California; and that further notice shall be given by general release of this Commission which shall be distributed to the press and mailed to persons on the mailing list for release under the act; and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

*It is further ordered,* That Market Street shall give notice of said hearing to all its security holders by mailing a copy of this notice and order at least 15 days prior to the date set for hearing to each of its known security holders (in so far as the identity of such security holders is known or available to it), at his last known address, and that Market Street shall enclose therewith a statement that Market Street may modify its plan by amendment without further communication to security holders unless otherwise ordered by the Commission or unless information with respect to amendments is requested of Market Street by individual security holders.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 48-5446; Filed, June 17, 1948; 8:46 a. m.]

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[File Nos. 54-97, 59-38, 59-73, 70-1847]

UNITED PUBLIC UTILITIES CORP. ET AL.

NOTICE OF FILING OF AMENDMENT TO PLAN AND OF APPLICATION; ORDER CONSOLIDATING PROCEEDINGS AND RECONVENING HEARINGS

At a regular session of the Securities and Exchange Commission held at its office in Washington, D. C., on the 11th day of June 1948.

In the matter of United Public Utilities Corporation, Applicant, File No. 54-97; United Public Utilities Corporation and its Subsidiary Companies, Respondents, File No. 59-73; United Public Utilities Corporation and Its Subsidiary Companies, Respondents, File No. 59-38, American Gas and Electric Company, Applicant, File No. 70-1847.

United Public Utilities Corporation ("UPU"), a registered holding company, having heretofore filed with the Commission, pursuant to section 11 (e) of the act, a plan designated as "Plan for Divestment of Assets and Related Matters" ("Divestment Plan") consisting of Part I, Part II, and Part III; public hearings having been heretofore held on the Divestment Plan, and the Commission on February 28, 1947, and the District Court of the United States for the District of Delaware on March 12, 1947, having approved Part I providing for the cash sale by UPU of its investments in seven former subsidiaries which operated in Ohio; and the Commission having reserved jurisdiction with respect to Part

II, which provides for the use of the proceeds of the aforesaid sale to retire all of UPU's outstanding preferred stocks and to distribute $5.00 per share to the holders of UPU's outstanding common stock, and with respect to Part III, which proposes the liquidation of UPU pursuant to a program to be supplied by further amendment.

Notice is hereby given that UPU has filed an amendment to Part III of the Divestment Plan, which amendment has been designated as "Supplement 1 to Plan for Divestment of Assets and Related Matters" ("Supplement 1") and is described as a further step in the liquidation of UPU. Briefly stated, Supplement 1 consists of two plans, hereinafter referred to as "Plan A" and "Plan B"

Plan A provides for the sale by UPU to American Gas & Electric Company ("American Gas") a registered holding company, of all of the outstanding securities of Citizens Heat, Light and Power Company ("Citizens") a public utility subsidiary of UPU which is an Indiana corporation and is engaged in the electric and water businesses in Indiana.

Plan B provides for the use of substantially all the net proceeds of the sale by the distribution of $4.00 per share to the holders of UPU's common stock.

Notice is further given that American Gas has filed an application pursuant to sections 9 (a) (2) and 10 of the act for approval of the acquisition of the securities of Citizens.

Pursuant to the Commission's order of December 10, 1947, authorizing American Gas to submit a bid to UPU for the purchase of the securities of certain subsidiaries of UPU (File No. 70-1670) American Gas heretofore submitted a bid to UPU for the purchase of the securities of Citizens for a base price of $1,112,500 plus an amount equal to the net increase in earned surplus of Citizens between December 31, 1946, and the proposed closing date. That bid was rejected by the Board of Directors of UPU. The earlier application of American Gas stated that upon acquisition of Citizens by American Gas, Citizens would be merged into Indiana and Michigan Electric Company, an electric utility subsidiary of American Gas. In authorizing American Gas to bid for Citizens, the Commission found that the proposed acquisition by American Gas would have the tendency towards the development of an integrated utility system required by section 10 (c) (2) of the act.

All interested persons are referred to the aforesaid Supplement 1 of UPU and the application of American Gas which are on file in the office of the Commission for a full statement of the transactions therein proposed which may be summarized as follows:

SUPPLEMENT 1 OF UPU

*Plan A. Sale of Citizens.* UPU, in accordance with the provisions of an agreement with American Gas dated May 11, 1948, proposes to sell to American Gas all of the outstanding securities of Citizens for the sum of $1,500,000. The agreement provides that Citizens shall pay to UPU all interest accrued and unpaid to the date of closing on debt securities of Citizens owned by UPU and that Citizens shall not declare or pay any dividends on its outstanding capital stock (other than the dividend of $34,000 paid on January 2, 1948) between December 31, 1947, and the date of closing.

*Plan B: Distribution of proceeds.* Subject to prior consummation of Part II of the Divestment Plan, UPU proposes to distribute $1,481,200 of the proceeds of the sale of Citizens by the payment of a liquidating distribution of $4 per share to the holders of UPU's common stock and to the holders of voting trust certificates for common stock upon the surrender of such certificates in exchange for common stock.

UPU proposes that such liquidating distribution be paid by the Provident Trust Company of Philadelphia as "Paying Agent" subject to the prior deposit of the requisite funds and the giving of notices as provided in the plan.

It is proposed that the effective date of Plan B shall be determined by the Board of Directors of UPU in accordance with certain provisions of the plan.

UPU proposes that upon the expiration of five years subsequent to the effective date of Plan B (subject to certain exceptions noted in Plan B) any cash funds held by the Paying Agent for payment to the holders of UPU's common stock under Plan B which have not been claimed by the common stockholders shall be returned to UPU, its successors or assigns, free and clear of claims of such stockholders.

*General provisions.* The consummation of Plan A and Plan B is subject to the following conditions:

(a) That the Commission shall have found the plans necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby and shall have entered an order or orders approving the plans and, if UPU requests, that such order contain appropriate recitals as required by sections 371 (f) and 1808 (f) of the Internal Revenue Code to obtain for UPU and its stockholders certain benefits under Supplement R of Chapter 1 of the Internal Revenue Code and certain exemptions from the provisions of sections 1801, 1802, and 1021 (b) of Chapter 11 and section 3481 of Chapter 31 of the Internal Revenue Code.

(b) That a competent court, upon application by the Commission, shall have entered an order to enforce and carry out the provisions of Supplement 1, and, at the option of UPU, such order shall have become final and no longer subject to review.

UPU reserves the right to request separate enforcement of Plan A and Plan B

All fees and expenses incurred in connection with Supplement 1 shall be subject to the approval of the Commission.

APPLICATION OF AMERICAN GAS

American Gas, in accordance with the provisions of the agreement referred to hereinabove, proposes to acquire all of the outstanding securities of Citizens for the cash consideration described in the foregoing summary of the provisions of Plan A.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11 and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission that notice be given and a hearing be held upon Supplement 1 filed by UPU to afford all interested persons an opportunity to be heard with respect thereto, and it also appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matters set forth in the application of American Gas and that said application should not be granted except pursuant to further order of this Commission; and

It further appearing that proceedings have heretofore been instituted with respect to UPU and its subsidiaries under sections 11 (b) (1) (File No. 59-38) and 11 (b) (2) 15 (f) and 20 (a) (File No. 59-73) and with respect to certain plans filed by UPU pursuant to section 11 (e), including the Divestment Plan (File No. 54-97) which proceedings have heretofore been consolidated, and that public hearings have been held in such consolidated proceedings and have been concluded with respect to Part I of the Divestment Plan and continued, subject to the call of the hearing officer, with respect to Part II and Part III of the Divestment Plan; and

It further appearing that hearings should be reconvened in such consolidated proceedings and that the issues presented by the consolidated proceedings and the application of American Gas involve common questions of law and fact and should be heard together:

*It is ordered,* That the proceedings on the application of American Gas be consolidated for the purpose of hearing with the aforementioned consolidated proceedings and that a consolidated hearing be held on June 28, 1948, at 11 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing will be held. In the event that amendments to Supplement 1 are filed during the course of said proceedings, no notice of such amendments will be required by the Commission unless specifically ordered by it. Any person desiring to receive further notice of the filing of amendments by UPU should request such notice of UPU. Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary, on or before June 25, 1948, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered,* That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 13 (c)

of the act, and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of Supplement 1 and the application of American Gas and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the aforementioned Plan A and Plan B, as submitted or as modified, are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to the persons affected thereby.

2. Whether the proposed sale and acquisition of securities are in conformity with sections 10 and 12 (d) of the act.

3. Whether, in connection with the proposed acquisition of securities by American Gas, it is necessary to impose terms or conditions with respect to the disposition of any excess of the proposed carrying value by American Gas of the securities to be acquired over the underlying book value thereof.

4. Whether the fees, expenses and remuneration to be paid by UPU and by American Gas in connection with the proposed transactions are for necessary services and are reasonable in amount.

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers in connection with the proposed transactions.

*It is further ordered,* That particular attention shall be directed at said hearing to the foregoing matters and questions.

*It is further ordered,* That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues which may arise in these procedings.

*It is further ordered,* That the Secretary of the Commission shall give notice of this hearing by mailing a copy of this order by registered mail to the Federal Power Commission, The Public Service Commission of Indiana, and to UPU, Citizens, and American Gas; that notice shall be given to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases under the act; and that further notice shall be given to all persons by publication of this order in the FEDERAL REGISTER.

*It is further ordered,* That UPU shall mail a copy of this notice and order to each of its security holders (insofar as the identity of such security holders is known to UPU) including the holders of its voting trust certificates, at least 10 days prior to the date set for hearing; and that UPU shall enclose therewith a statement that UPU may amend Supplement 1 without giving notice thereof to security holders, unless ordered to do so by the Commission, except that any security holder requesting UPU to give him notice of further amendments shall be given such notice by UPU.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5448; Filed, June 17, 1948; 8:46 a. m.]

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[File No. 70-1821]

WISCONSIN PUBLIC SERVICE CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of June 1948.

Wisconsin Public Service Corporation ("Public Service"), a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, having filed an application-declaration and subsequent amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 6 (a) 6 (b) and 7 thereof, with respect to the following proposed transactions:

Public Service proposes to borrow, on short-term notes, $700,000 from The Chase National Bank, New York, New York, $700,000 from Harris Trust and Savings Bank, Chicago, Illinois, and $600,000 from Irving Trust Company, New York, New York, aggregating $2,000,000. The notes will be dated June 14, 1948, will bear interest at the rate of 2% per annum, and will be subject to prepayment without premium. The Company will use the proceeds of such loans to finance temporarily current construction expenditures pending the completion of a permanent financing program for 1948.

Appropriate notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration, as amended, be granted and permitted to become effective and deeming it appropriate to grant the request of applicant-declarant that the order become effective not later than June 11, 1948:

*It is hereby ordered,* Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5449; Filed, June 17, 1948; 8:46 a. m.]

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[File No. 70-1835]

PENNSYLVANIA ELECTRIC CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of June A. D. 1948.

Associated Electric Company, ("Aelec") a registered holding company, and its subsidiary, Pennsylvania Electric Company ("Penelec"), having filed a joint application-declaration, as amended pursuant to sections 6 (b), 9 (a) and 10 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transactions:

Penelec will issue and sell at private sale to the Mellon National Bank and Trust Company, of Pittsburgh, Pennsylvania, at face amount, its unsecured promissory note for $1,900,000 principal amount, maturing 18 months after the date of issue thereof and bearing interest at a rate not in excess of 2% per annum.

Penelec will issue and sell 80,000 shares of its $20 par value common stock to Aelec for an aggregate consideration of $1,600,000 in cash. Such issuance and sale will be made not later than one year after the issuance by Penelec of the promissory note to the Mellon National Bank and Trust Company.

Of the proceeds to be realized by Penelec from the sale of its promissory note, $500,000 will be applied by it to the payment of $500,000 principal amount of presently outstanding unsecured notes and the balance of the proceeds realized from the sale of the note, together with the proceeds realized from the sale by it of the 80,000 shares of its common stock, will be applied by Penelec to its general construction program.

Such joint application-declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing that the Pennsylvania Public Utility Commission has issued a securities certificate authorizing Penelec to issue the 80,000 shares of its common stock and the $1,900,000 principal amount of unsecured note; and

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in

the interests of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant a request of applicants-declarants that the order become effective at the earliest date possible:

*It is hereby ordered,* Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective and the proposed transactions may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5443; Filed, June 17, 1948; 8:45 a. m.]

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[File No. 70-1840]

NEW JERSEY POWER & LIGHT CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of June 1948.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by New Jersey Power & Light Company ("New Jersey") an electric utility subsidiary of General Public Utilities Corporation ("GPU") a registered holding company. Applicant-declarant designates section 6 (b) of the act and Rule U-50 of the general rules and regulations promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 25, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issue of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 25, 1948, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

New Jersey proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $6,000,000 principal amount of First Mortgage Bonds ____% Series due 1978, to be issued under a Supplemental Indenture to the company's existing First Mortgage Indenture dated March 1, 1944. The interest rate and price to the company for the bonds will be determined by competitive bidding, except that the invitation for bids will specify that the interest rate shall not be greater than 3½% and that the price to the company shall not be less than 100% nor more than 102.75% of the principal amount, plus interest, if any.

New Jersey will deposit the proceeds of the sale of the bonds with the indenture trustee to be withdrawn by New Jersey, from time to time, against net bondable value of property additions, as defined and permitted by the terms and provisions of said mortgage indenture.

New Jersey also proposes that upon receipt of a capital contribution of $1,750,000, which is to be made to it by its parent, GPU, it will apply $1,100,000 thereof to the repayment of its like principal amount of outstanding bank indebtedness and will set aside the balance of such contributions on its books to be applied against disbursements made from and after January 1, 1948, for construction and improvements of its facilities.

The proposed issuance and sale of securities has been submitted to the New Jersey Board of Public Utility Commissioners for its approval in connection therewith.

Applicant-declarant has requested the Commission to issue its order granting the application and permitting the declaration to become effective not later than June 28, 1948.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5442; Filed, June 17, 1948; 8:45 a. m.]

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[File No. 70-1844]

CINCINNATI GAS & ELECTRIC CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 11th day of June 1948.

The Cincinnati Gas & Electric Company ("Cincinnati") a subsidiary of The United Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for an exemption from the provisions of section 6 (a) thereof of the issue and sale by Cincinnati, pursuant to the competitive bidding requirements of Rule U-50, of $15,000,000 principal amount of First Mortgage Bonds due 1978, to be issued under and secured by the indenture of the company to Irving Trust Company, as trustee, dated as of August 1, 1936, and indentures supplemental thereto, including a proposed third Supplemental Indenture to be dated July 1, 1948; the invitation for bids specifying that the amount to be received by Cincinnati for the new bonds shall not be less than 99% nor more than 102¾% of the principal amount thereof, plus accrued interest, and that the interest rate shall be a multiple of ⅛ of 1%, and

The applicant having stated that the proceeds to be derived from the sale of the new bonds will be used to finance, in part, its 1948 and 1949 construction program, and the issue and sale of said bonds having been expressly authorized by the Public Utilities Commission of Ohio by order dated May 17, 1948; and

Said application having been filed on May 21, 1948 and the last amendment thereto having been filed on June 9, 1948, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application that the requirements of the applicable provisions of the act and rules thereunder are satisfied and deeming it appropriate in the public interest and in the interests of investors and consumers that said application be granted:

*It is ordered,* Pursuant to Rule U-23 and the applicable provisions of said act, that the said application, as amended, be, and hereby is, granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of bonds shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

*It is further ordered,* That jurisdiction be, and hereby is, reserved over the payment of all legal fees and expenses to be incurred in connection with the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-5444; Filed, June 17, 1948; 8:45 a. m.]

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[File No. 70-1843]

REPUBLIC LIGHT, HEAT AND POWER CO., INC.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 11th day of June A. D. 1948.

Republic Light, Heat and Power Company, Inc. ("Republic") a subsidiary of Cities Service Company, a registered holding company, having filed an application pursuant to section 6 (b) of Public Utility Holding Company Act of 1935, with respect to the following transaction:

Republic proposes to renew two of its outstanding notes held by Manufactur-

ers and Traders Trust Company ("Manufacturers") each in the principal amount of $200,000, bearing interest at 2%, so as to extend the maturity of said notes from June 15, 1948 to June 30, 1948.

Republic states that the proposed extension of the aforesaid notes for a 15-day period is to provide against the contingency that the requisite regulatory approvals of the company's pending applications with respect to a proposed borrowing of an amount not to exceed $2,000,000 under a loan agreement with Manufacturers and the application of $800,000 thereof to the prepayment of the company's outstanding short-term notes in which are included the aforesaid two notes may not be obtained prior to June 15, 1948; and

The application having been filed on May 25, 1947, and notice of filing thereof having been given in the manner and form prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for a hearing with respect to said application; and

Applicant having requested that the Commission's order, with respect to said application be issued not later than June 11, 1948, and become effective upon its issuance, and the Commission deeming it appropriate to grant said requests; and

The Commission finding with respect to said application that the requirements of the applicable provisions of the act and the rules and regulations thereunder are satisfied, that no adverse findings are necessary thereunder and that it is appropriate in the public interest and for the protection of investors and consumers that Republic have outstanding an aggregate amount of notes having a maturity of nine months, or less, aggregating 23.7% of the principal amount and par value of the other securities of the company then outstanding.

*It is hereby ordered,* Pursuant to Rule U-23 and the applicable provisions of the act, that said application be, and it hereby is, granted forthwith, subject, however, to the conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 48-5447; Filed, June 17, 1948; 8:46 a. m.]

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[File No. 70-1854]

MICHIGAN CONSOLIDATED GAS CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 11th day of June A. D. 1948.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") by Michigan Consolidated Gas Company ("Michigan Consolidated") a public utility subsidiary of American Light & Traction Company, a registered holding company. Declarant designates sections 6 (a) and 7 of the act, to the extent considered appropriate, and Rules U-62 and U-65 promulgated under the Act as applicable to the proposed transactions.

All interested persons are referred to said declaration on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Michigan Consolidated proposes, with the requisite approval of the holders of the outstanding 4¾% Cumulative Preferred Stock obtained at a special meeting to be held for that purpose, to modify the limitation on the issuance or assumption of unsecured indebtedness contained in the Articles of Incorporation so as to increase by $7,500,000 the aggregate amount of such indebtedness which may be issued or assumed by the company prior to December 31, 1951, and which may be issued or assumed for the purpose of extending, renewing, funding or refunding any such indebtedness so issued or assumed. Under the Articles of Incorporation, as amended, the amount of unsecured debt which Michigan Consolidated is permitted to issue or assume is limited to not in excess of 10% of the aggregate of outstanding secured indebtedness and capital and surplus. The Articles also provide that this limitation may be modified by the affirmative vote of the holders of the majority of the outstanding shares of the 4¾% Cumulative Preferred Stock present or represented at a special meeting at which a quorum is in attendance. Pursuant to this provision of the Articles Michigan Consolidated proposes to call a special meeting of the holders of the 4¾% Cumulative Preferred Stock for the purpose of voting on a resolution authorizing the proposed modification, and, in connection with said special meeting, Michigan Consolidated has requested authority to solicit the necessary proxies. In connection with such solicitation, the company proposes to employ Georgeson & Company to assist in obtaining proxies.

The declaration states that additional funds are necessary to finance scheduled construction requirements for the period through 1950 and that the issuance of additional unsecured indebtedness constitutes the most feasible means of financing the construction program. The declaration does not request authority to presently issue any additional securities under the proposed charter modification and does not specify the nature or the terms of the securities to be ultimately issued.

It is further stated that the proposed transactions are subject to the jurisdiction of no regulatory authority other than the Securities and Exchange Commission.

It is requested that the Commission's order authorizing the proposed transactions be entered on or before June 28, 1948, and become effective forthwith.

It appearing to the Commission appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the proposed transactions and that said declaration should not be permitted to become effective except pursuant to the further order of this Commission:

*It is ordered,* That, pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, a hearing with respect to said declaration be held on June 23, 1948, at 10 a. m., e. d. s. t., at the offices of this Commission, 424 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise participate in this proceeding shall file with the Secretary of the Commission, on or before June 21, 1948, a written request therefor as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered,* That Allen MacCullen, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the declaration and that, upon the basis thereof and without prejudice to additional matters or questions being specified upon further examination, the following matters or questions are presented for consideration:

1. Whether the proposed modification of the unsecured indebtedness limitation of the Articles of Incorporation, as amended, meets the applicable standards of section 7 of the act.

2. Whether the proposed solicitation meets the applicable standards of section 12 (e) of the act and Rules U-62 and U-65 promulgated thereunder.

3. Whether the fees proposed to be paid including the fee of any organization for solicitation of proxies are reasonable.

4. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose any conditions in connection with the proposed transactions, and, if so, what such conditions should be.

*It is further ordered,* That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

*It is further ordered,* That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice of filing and order for hearing to Michigan Consolidated, American Light & Traction Company, The Michigan Public Service Commission and the City of Detroit, Michigan, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 48-5441; Filed, June 17, 1948; 8:45 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11139]

J. OEHLERT ET AL.

In re: Stock owned by J. Oehlert, Edgar Schlubach and Jan Schlubach.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That J. Oehlert, the last known address of which is Neustadt a/d Haardt, Germany, is a partnership, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Neustadt, Germany and is a national of a designated enemy country (Germany)

2. That Edgar Schlubach and Jan Schlubach, whose last known addresses are Ritterbrunnen 4, Braunschweig and c/o Richard Martens, Kattrepelsbrucke 1, Hamburg, Germany, respectively, are residents of Germany and nationals of a designated enemy country (Germany)

3. That the property described as follows: Eight hundred seventy-five and one-sixth (875⅙) shares of no par value capital stock of Ultramares Corportation, in dissolution, 82 Beaver Street, New York 5, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered, dated and in the amounts set forth below:

| Certificate No. | Date issued | Number of shares |
|---|---|---|
| 88 | Dec. 31, 1925 | 73 |
| 89 | do | 73 |
| 96 | do | 672 |
| 113 | Oct. 15, 1930 | 6⅙ |
| 123 | Apr. 2, 1931 | 51 |

and registered in the name of J. Oehlert, together with all declared and unpaid regular or liquidating dividends, and any future liquidating dividends which may be declared thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, J. Oehlert, the aforesaid national of a designated enemy country (Germany),

4. That the property described as follows: One hundred seventy-seven (177) shares of no par value capital stock of Ultramares Corporation, in dissolution, 82 Beaver Street, New York 5, New York, a corporation organized under the laws of the State of New York, said shares being included in 636 shares of stock of the aforesaid Ultramares Corporation, in dissolution, evidenced by a certificate numbered 119, registered in the name of Messrs. J. Henry Schroder & Co., London, together with all declared and unpaid regular or liquidating dividends and any future liquidating dividends which may be declared on the aforesaid one hundred seventy-seven shares,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Jan Schlubach, the aforesaid national of a designated enemy country (Germany)

5. That the property described as follows: One hundred seventy-seven and one-sixth (177⅙) shares of no par value capital stock of Ultramares Corporation in dissolution, 82 Beaver Street, New York 5, New York, a corporation organized under the laws of the State of New York, said shares being included in 636 shares of stock of the aforesaid Ultramares Corporation, in dissolution, evidenced by a certificate numbered 119, registered in the name of Messrs. J. Henry Schroder & Co., London, together with all declared and unpaid regular or liquidating dividends and any future liquidating dividends which may be declared on the aforesaid one hundred seventy-seven and one-sixth shares,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Edgar Schlubach, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

6. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 48-5463; Filed, June 17, 1948; 8:50 a. m.]

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[Vesting Order 2009, Amdt.]

TONY NESHOFF

In re: Estate of Tony Neshoff, deceased. File No. D-11-61, E. T. sec. 6079.

Vesting Order 2009 dated August 19, 1943 is hereby amended as follows and not otherwise:

By deleting the name "Neshoff Todoroff" wherever it appears in said vesting order and substituting therefor the name "Teophil Ivanoff T. Neshoff"

All other provisions of said Vesting Order Number 2009 and all action taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 48-5480; Filed, June 17, 1948; 8:52 a. m.]

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[Vesting Order 11253]

RICHARD KASPAR BAUER ET AL.

In re: Checks owned by and debts owing to Richard Kaspar Bauer and others. F-28-27786-E-1, F-28-27786-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are listed below:

*Name and Address*

Richard Kaspar Bauer, Germany.
Robert Martin Bauer, Dresden, Germany
Ludwig Bauer, Gladbach, Rheydt, Germany.
Ernst Bauer, Berlin, Germany.
Pauline Bauer Herr, Lohr/Main, Germany
Adelheid Bauer Ditgens, also known as Adelheid Bauer (Roth) Ditgen, Steineah a. s., Germany.
Hedwig Hartman, Bad-Kissinger Germany.

are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation of The Franklin Savings and Loan Association, Miami Savings Building, Dayton 2, Ohio, arising out of a Running Stock Account, account number 3578 and entitled Alfred K. Nippert, Trustee for Heirs of Theresa Bauer, maintained with the aforesaid association, said account evidenced by a Running Stock Book, numbered 3578, presently in the custody of Nippert and Nippert, 2116 Union Central Building, Cincinnati, Ohio, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of the aforesaid Running Stock Book, and any and all rights under the plan of liquidation of the aforesaid Association, and

b. Those certain debts or other obligations represented by six (6) checks issued by The Franklin Savings and Loan Association payable to Alfred K. Nippert,

Trustee for heirs of Theresa Bauer, dated and in the amounts set forth below:

| Date | Amount |
|---|---|
| December 21, 1940 | $105.00 |
| August 7, 1941 | 120.00 |
| August 18, 1942 | 150.00 |
| January 28, 1943 | 225.00 |
| September 16, 1943 | 375.00 |
| January 15, 1946 | 120.00 |

said checks presently in the custody of Nippert and Nippert, 2116 Union Central Building, Cincinnati, Ohio, and any and all rights to demand, enforce and collect the aforesaid debts and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of the aforesaid checks,

subject, however, to any lawful liens of the firm of Nippert and Nippert, 2116 Union Central Building, Cincinnati, Ohio, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Richard Kaspar Bauer, Robert Martin Bauer, Ludwig Bauer, Ernst Bauer, Pauline Bauer Herr, Adelheid Bauer Ditgens also known as Adelheid Bauer (Roth) Ditgens and Hedwig Hartman, the aforesaid nationals of a designated enemy country, (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5464; Filed, June 17, 1948; 8:50 a. m.]

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[Vesting Order 11261]

KIYO SUE INUI

In re: Debt owing to Kiyo Sue Inui. F-39-2334-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kiyo Sue Inui, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows: That certain debt or other obligation owing to Kiyo Sue Inui by The Yokohama Specie Bank, Ltd., San Francisco Office and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., San Francisco Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of a commercial checking account entitled Kiyo Sue Inui, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5465; Filed, June 17, 1948; 8:50 a. m.]

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[Vesting Order 11314]

ROSINE DEUSCHLE

In re: Estate of Rosine Deuschle, a/k/a Rosina Deuschle and Rosie Deuschle, deceased. File No. D-28-12117; E. T. sec. 16330.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rosina Deuschle, Marie Deuschle, Heinricke (Heinericke) Deuschle, Luise (Louisa) Muller, and Johannes Deuschle, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Heinricke (Heinericke) Deuschle, and the issue, names unknown, of Luise (Louisa) Muller, and the issue, names unknown, of Johannes Deuschle, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to the Estate of Rosine Deuschle, also known as Rosina Deuschle and Rosie Deuschle, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by Katharina Hehl and Adam Christmann, as Executors, acting under the judicial supervision of the Surrogate's Court of the County of Queens, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof, and the issue, names unknown, of Heinricke (Heinericke) Deuschle, and the issue, names unknown, of Luise (Louisa) Muller, and the issue, names unknown, of Johannes Deuschle are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5466; Filed, June 17, 1948; 8:50 a. m.]

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[Vesting Order 11316]

AUGUST FITTJE ET AL.

In re: August Fittje et al. v. Herman Fittje et al. File No. D-28-11071.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helene Sophie Fittje Bredehorn, Marie Wilhelmine Fittje Bruns, Anna Catharine Fittje Bruns, Johanne Fittje Buentjen, Louise Fittje Hupens, and Friedrich Fittje, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the sum of $1,546.69 in the possession of the Clerk of the District Court, Nance County, Nebraska, pursuant to the order of the District Court of Nance County, Nebraska, in the matter of August Fittje et al. v. Herman Fittje et al., is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by the Clerk of the District Court of Nance County, Nebraska, acting under the judicial supervision of the District Court of Nance County, Nebraska;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5467; Filed, June 17, 1948; 8:50 a. m.]

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[Vesting Order 11324]

WALTER KLAUSNER

In re: Estate of Walter Klausner, also known as Walter Paul Klausner, deceased. File No. D-28-11727; E. T. sec. 15932.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Helen Heinrich, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the nieces and nephews, names unknown, of Walter Klausner, also known as Walter Paul Klausner, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the sum of $1,437.12 deposited June 5, 1944, with the Clerk of the Jefferson County Court, Kentucky, to the credit of the nieces and nephews of Walter Klausner, also known as Walter Paul Klausner, Deceased, pursuant to order of the Jefferson County Court, dated June 5, 1944, in the matter of the estate of Walter Klausner, also known as Walter Paul Klausner, Deceased, including increments thereon and subject to the lawful fees and disbursements of the Clerk of the Jefferson County Court, Kentucky, is property payable or deliverable to, or claimed by, the persons identified in subparagraphs 1 and 2 hereof, and each of them, nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by the Clerk of the Jefferson County Court, Kentucky, as depositary, acting under the judicial supervision of the Jefferson County Court, Kentucky;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5468; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11337]

KUYE TAKANO

In re: Matter of Kuye Takano, Bankrupt. File No. D-39-19109.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Harukichi Kodani, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the sum of $1,000, together with any increments thereon, deposited with the Clerk of the United States District Court for the Southern District of California by Herbert McDowell, Conciliation Commissioner, as the proceeds of a claim filed by the person named in subparagraph 1 hereof, in Bankruptcy Case No. 5983, Kuye Takano, debtor, subject, however, to any lawful fees, commissions, or disbursements of the Clerk of the United States District Court for the Southern District of California,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 48-5469; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11353]

SEIDO OKURA

In re: Debts owing to Seido Okura. D-39-18041-C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Seido Okura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Those certain debts or other obligations evidenced by those checks drawn on the Bank of Hawaii, Hilo, Hawaii, T. H., by E. K. Yano, Hilo, Hawaii, T. H., payable to Seido Okura, numbered, dated and in the amounts set forth below:

| Number | Date | Amount |
|---|---|---|
| 23 | Feb. 5,1944 | $153.64 |
| 83 | May 12,1945 | 232.93 |
| 10[illegible] | Dec. 7,1945 | 62.00 |

together with all rights in, to and under, including particularly, but not limited to, the right to possession and presentation for collection and payment of the aforesaid checks, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations,

is property within the United States owned or controlled by, payable or de-

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5470; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11355]

CHARLOTTE PISTOR

In re: Bank account and stock owned by Charlotte Pistor. F-28-11967-A-1, F-28-11967-A-2; F-28-11967-C-1, F-28-11967-D-1, F-28-11967-E-1, F-28-11967-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Charlotte Pistor, whose last known address is Finkanberg 17, Luneburg, Hannover Land, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Charlotte Pistor, by Cooke Trust Company, Ltd., 926 Fort Street, Honolulu, T. H., arising out of an agency account, entitled Charlotte Pistor, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Charlotte Pistor, by First Federal Savings & Loan Association of Hawaii, 929 Fort Street, Honolulu 1, T. H., arising out of a savings account, Share Account Number 421, entitled Charlotte Pistor, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

c. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Charlotte Pistor, and presently in the custody of Cooke Trust Company, Ltd., 926 Fort Street, Honolulu, T. H., together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

EXHIBIT A

| Name and address of issuer | Place of incorporation | Type of stock | Par value | Certificate Nos. | Number of shares |
|---|---|---|---|---|---|
| Consolidated Amusement Co., Ltd., Honolulu, T. H. | Territory of Hawaii | Common | No par | B4167<br>B5185<br>B1987 | 1<br>1<br>5 |
| Hawaiian Commercial & Sugar Co., Ltd., Honolulu, T. H. | do | do | $25 | 198 | 5 |
| Inter Island Steam Navigation Co., Ltd., Honolulu, T. H. | do | do | 18 | 6084<br>6083 | 10<br>15 |

[F. R. Doc. 48-5471; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11368]

FRANZ HERRMANN

In re: Estate of Franz Herrmann, deceased. File No. F-28-2343, E. T. sec. 14958.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Herrman, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Franz Herrmann, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Joseph S. Wall, as Executor, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 48-5472; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11372]

FRITZ BACKOFEN

In re: Bank account owned by Fritz Backofen. F-28-4419-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Backofen, whose last known address is Schumannstrasse 3 Mittweida, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Fritz Backofen, by Corn Exchange Bank Trust Company, 424 Fourth Avenue, New York, New York, arising out of a checking account, entitled Fritz Backofen, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5473; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11374]

SUSANNA CARLSON ET AL.

In re: Debts owing to Susanna Carlson and others. F-28-23763-C-1, F-28-23764-C-1, F-28-23765-C-1.

Under the authority of the Trading With the Enemy Act as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Susanna Carlson, whose last known address is Rueppurerstr. 39, Karlsruhe, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees of Marie Glaser, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the personal representatives, heirs, next of kin, legatees and distributees of Max B. Schreiber, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

4. That the property described as follows: That certain debt or other obligation of The Union Labor Life Insurance Company, 570 Lexington Avenue, New York 22, New York, arising out of claim numbered 9184, representing the proceeds of a Group Life Insurance policy issued by the aforesaid insurance company on the life of Berndt Carlson, deceased, said policy numbered G5A-1472, and any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid claim,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Susanna Carlson, the aforesaid national of a designated enemy country (Germany),

5. That the property described as follows: That certain debt or other obligation of The Union Labor Life Insurance Company, 570 Lexington Avenue, New York 22, New York, arising out of claim numbered 1841, representing the proceeds of a Group Life Insurance Policy issued by the aforesaid insurance company on the life of Ernest A. Glaser, deceased, said policy numbered G4-3440, and any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid claim,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of Marie Glaser, deceased, the aforesaid nationals of a designated enemy country (Germany)

6. That the property described as follows: That certain debt or other obligation of The Union Labor Life Insurance Company, 570 Lexington Avenue, New York 22, New York, arising out of a claim numbered 8370, representing the proceeds of a Group Life Insurance Policy issued by the aforesaid insurance company on the life of Max B. Schreiber, deceased, said policy numbered G4-8696, and any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid claim,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of Max B. Schreiber, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

7. That to the extent that the person named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees of Marie Glaser, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of Max B. Schreiber, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5474; Filed, June 17, 1948; 8:51 a. m.]

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[Vesting Order 11376]

PAULINE FREITAG ET AL.

In re: Bank accounts owned by Pauline Freitag, also known as Paulina Freitag, and others. F-28-25518-E-1, F-28-25970-E-1, F-28-27437-E-1; F-28-26507-E-1, F-28-27229-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons, whose names and last known addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Those certain debts or other obligations of American Trust Company, 464 California Street, San Francisco, California, arising out of savings accounts, entitled and numbered as set forth opposite the names of the persons listed in the aforesaid Exhibit A, maintained at the aforesaid Bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Pauline Freitag, also known as Paulina Freitag; Theresa Schmitt, also known as Theresia Schmidt, nee Michelbach, and as Theresea Schmidt; August Michelbach; Babetta Link, also known as Babetta Link, nee Freitag; Amalie Hammerschmitt, also known as Amelia Hammerschmitt, nee Michelbach, and as Amelia Hammerschmidt, the aforesaid

nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

EXHIBIT A

| Name of owner | Last known address | Title of account | Account No. |
|---|---|---|---|
| Pauline Freitag, also known as Paulina Freitag | Koenigshofen, Germany | Paulina Freitag | 3927 |
| Theresa Schmitt, also known as Theresia Schmidt, nee Michelbach, and as Theresea Schmidt. | Mannebeim, Germany | Theresa Schmitt | 3689 |
| August Michelbach | Koenigshofen, Germany | August Michelbach | 3078 |
| Babetta Link, also known as Babetta Link, nee Freitag. | Mannebeim, Germany | Babetto Link | 3233 |
| Amalie Hammerschmitt, also known as Amelia Hammerschmitt, nee Michelbach and as Amelia Hammerschmidt. | ....do.... | Amalie Hammerschmitt | 3750 |

[F. R. Doc. 48-5475; Filed, June 17, 1948; 8:51 a. m.]

[Vesting Order 11380]

RICHARD LINDE

In de: Debt owing to Richard Linde. F-28-19912-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Richard Linde, whose last known address is Berlin SW 68 Wilhelmstrasse, 143, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Richard Linde, by Neocell Products Corporation, 626 Fifth Ave., New York, N. Y., in the amount of $933.68, as of May 11, 1948, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5478; Filed, June 17, 1948; 8:52 a. m.]

[Vesting Order 11378]

KAROLINE BOECK HURLER

In re: Debt owing to Karoline Boeck Hurler, also known as Caroline Hurler. F-28-14728-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karoline Boeck Hurler, also known as Caroline Hurler, whose last known address is Wuerttemberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Karoline Boeck Hurler, also known as Caroline Hurler, by Weniger & Walter, Inc., c/o Alexander Walter, 215 E. Penn Street, Philadelphia 44, Pennsylvania, in the amount of $1,643.06, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,*
*Director Office of Alien Property.*

[F. R. Doc. 48-5476; Filed, June 17, 1948; 8:52 a. m.]